

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chair Boyle invited the public to address the Commission and also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published February 5, 2008 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held February 12, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, February 12, 2008:

- 1:30            Commission Hearing Room, Lincoln. Commissioner Schram presiding as Hearing Officer.
- NUSF-37.      In the Matter of Jeffrey L. Pursley, Director, Nebraska  
123            Telecommunications Infrastructure and Public Safety  
                Department, Complainant v. Gold Line Telemanagement, Inc.,  
                Respondent.
- NUSF-37.      In the Matter of Jeffrey L. Pursley, Director, Nebraska  
134            Telecommunications Infrastructure and Public Safety  
                Department, Complainant v. Budget Phone, Inc., Respondent.

#### COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders granting the applications in Dockets AD-422r through AD-424r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

- AD-422r       In the Matter of CT Livestock Freight, Omaha, seeking  
                authority to register the connection of an automatic  
                dialing-announcing device.
- AD-423r       In the Matter of Array Services Group, Inc., Sauk Rapids,  
AD-424r       Minnesota, seeking authority to register the connection of  
                automatic dialing-announcing devices.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter orders granting the applications in Dockets E-2160, E-2167, E-2169, E-2170, E-2172, E-2173 and E-2176. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

- E-2160        In the Matter of South Central Public Power District, Nelson, seeking authority to construct, operate and maintain an electric transmission line in Webster County. Commissioner Rod Johnson presiding as Hearing Officer.
- E-2167        In the Matter of Niobrara Valley Electric Membership Corporation, O'Neill, seeking authority to construct, operate and maintain an electric transmission line in Holt County.
- E-2169        In the Matter of Lincoln Electric System, Lincoln, seeking  
E-2170        authority to construct, operate and maintain electric transmission lines in Lancaster County.
- E-2172        In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Kearney County.
- E-2173        In the Matter of Loup River Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Boone County.
- E-2176        In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission lines in Antelope and Knox Counties.

Gene Hand informed the Commission that a letter dated February 7, 2008, was mailed to both the Republican and Democratic Party chairs regarding registration of automatic dialing-announcing devices.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to remove from the table the request received from Pinpoint Communications, Inc. on January 28, 2008, asking the Commission to overturn NeuStar's denial of Pinpoint's request for two thousands-blocks of numbers in the Omaha Rate Center to reclaim blocks that were inadvertently returned to the Pooling Administrator. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Gene Hand reported on the staff investigation of the Pinpoint request.

COMMUNICATIONS DEPARTMENT (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve sending NeuStar a letter under the Chair's signature requesting NeuStar to waive the Federal Communications Commission (FCC) requirements for utilization and months to exhaust and issue the requested 590-0 and 590-1 blocks to Pinpoint (OCN 2309). Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter orders in Dockets 911-023.21, 911-023.41 and 911-023.50. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-023.21 In the Matter of Boyd-Holt Counties, Public Safety Answering Point, O'Neill, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Amended the caption and clarified past orders.

911-023.21 In the Matter of Boyd-Holt Joint E911 Board, O'Neill, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Approved the funding request, in part.

911-023.41 In the Matter of Seward County, Public Safety Answering Point, Seward, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Approved the funding request, in part.

911-023.50 In the Matter of Harlan and Phelps Counties, Public Safety Answering Point, Holdrege, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Amended the caption and clarified past orders.

911-023.50 In the Matter of the City of Holdrege Public Safety Answering Point, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Approved the funding request, in part.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram to enter orders in Dockets NUSF-37.106, NUSF-37.117 and NUSF-37.147. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-37  
.106      In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Globalstar USA, LLC, Respondent: Dismissed the complaint and cancelled, in part, the hearing scheduled for February 12, 2008.

NUSF-37  
.117      In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. LCR Telecommunications LLC, Respondent: Dismissed the complaint and cancelled, in part, the hearing scheduled February 12, 2008.

NUSF-37  
.147      In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Movida Communications, Respondent: Dismissed the complaint.

NATURAL GAS DEPARTMENT

NG-0048      In the Matter of NorthWestern Corporation, d/b/a NorthWestern Energy, Sioux Falls, South Dakota, seeking approval of a natural gas general rate increase for Nebraska. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis to enter an order assessing the loan amount for repayment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter assessment orders in Dockets FC-1327 and NG-0041. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1327  
HS-007      In the Matter of the Formal Complaint of the Nebraska Public Advocate seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing Officer: Entered Assessment Order HS-007.

NATURAL GAS DEPARTMENT (Cont.)

NG-0041      In the Matter of Aquila, Inc., d/b/a Aquila Networks  
HS-019      (Aquila), Omaha, seeking individual general rate increases  
for Aquila's Rate Area One, Rate Area Two, and Rate Area  
Three. Commissioner Landis presiding as Hearing Officer:  
Entered Assessment Order HS-0019.

RULES AND REGULATIONS

Rule and      In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 12, Manufactured Housing Rules  
#162      and Regulations, previously written under Title 178, Chap-  
ter 16, through Health and Human Services and to create an  
Ad Hoc Committee; correct technical errors, grammar, punctuation,  
spelling, sequential numbering and the like; and to reprint the  
chapter in its entirety: Mark Breiner informed the Commission that  
the rules were signed by the Governor and registered with the Secre-  
tary of State on February 1, 2008. The rules became effective on  
February 6, 2008.

Rule and      In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline  
#167      Rules and Regulations, to adopt rules in accordance with  
Nebraska Legislative Bill 1249 [2006] and to add rules  
regarding meter errors, consumer choice programs, aggregators and  
suppliers and emergency curtailment plans: Motion made by Commis-  
sioner Frank Landis, seconded by Commissioner Tim Schram, to enter an  
order releasing a second set of proposed rules and scheduling a hear-  
ing for March 25, 2008 at 1:30 p.m. in the Commission Hearing Room,  
Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson,  
Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Motion made by Commissioner Frank Landis, seconded by Com-  
missioner Jerry Vap, to approve testimony and positions on pending  
legislation. Motion passed with Commissioners Anne Boyle, Rod  
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

B-1683      In the Matter of CUSA ES, LLC, d/b/a Express Shuttle,  
Supp. 1      Bismarck, North Dakota, seeking to extend the authority in  
Nebraska intrastate commerce in the transportation of rail-  
road train crews by van in open class service between points in the  
state of Nebraska over irregular routes: Mark Breiner informed the  
Commission that a Hearing Officer's Order was entered February 12,  
2008 overruling the Protestant's Motion to Strike.

TRANSPORTATION DEPARTMENT (Cont.)

B-1647 In the Matter of Pontine Enterprises Limousine Services, LLC, Hastings, seeking to acquire, through transfer, the authority granted to Running Horse Enterprises, LLC, in Certificate B-1498: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order Nunc Pro Tunc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14119 In the Matter of Dudley Movers of Omaha, Inc., Ralston, seeking to extend its authority as a contract carrier in Nebraska intrastate commerce in the transportation of household goods between all points within the state of Nebraska over irregular routes: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order Nunc Pro Tunc. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Rate Division

LR-285 In the Matter of Zalt, Inc., d/b/a Central Limousine Services, Grand Island, seeking authority to adjust its rates and charges: Upon agreement of all Commissioners, a hearing was scheduled for March 12, 2008, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson was appointed Hearing Officer.

MR-1009/  
PI-70 In the Matter of the Commission, on its own motion, seeking to initiate an investigation on range uniformity in the Official Intracity Household Goods Tariff 22, and to develop procedures for efficiently processing household goods mover tariff amendments: Upon agreement of all Commissioners, a hearing was scheduled for March 18, 2008, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Tim Schram was appointed Hearing Officer.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was increased to 88 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-2119 In the Matter of M. G. Waldbaum Company dba Wayne Grain & Feed, Wakefield, seeking a \$250,000.00 deductible on its stock insurance coverage: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting THE application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to accept the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Attorney General	\$	5,585.38
Executive Travel		643.49
Thomson West		815.00
Voyager		1,738.51

Commissioner Frank Landis exited the Commission Hearing Room.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Gene Hand and John Burvainis to travel to and attend the Regional Oversight Committee (ROC) meeting to be held in Denver, Colorado from April 22 through 24, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to authorize Don Gray to travel to and attend the North American Numbering Council (NANC) meeting to be held in Washington, D.C. from February 21 through 22, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Commissioner Frank Landis returned to the Commission Hearing Room.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to accept the Executive Director's recommendation to authorize the Communications Department to purchase booth space and attend the Deaf Nation Expo, sponsored by the Nebraska Commission for the Deaf and Hard of Hearing and Deaf Nation, to be held in Omaha on April 19, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to hire a Grain Warehouse Examiner. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:36 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on February 26, 2008, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on February 25, 2008.

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Chair

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Executive Director